

**Amendments to the Specification:**

Please delete the paragraph (or section) beginning at page 15, line 10 and ending at page 15, line 12.

DO NOT ENTER: /M.A./

04/09/2010

Please delete the paragraph (or section) beginning at page 15, line 13 and ending at page 15, line 15.

Please replace the paragraph (or section) beginning at page 15, line 16, with the following redlined paragraph (or section):

Figure ~~2024~~ is a graph showing measurement results of the C/N ratio of a signal obtained by reproducing data recorded in each of an optical recording medium sample #3-1, an optical recording medium comparative sample #1, an optical recording medium comparative sample #2 and an optical recording medium comparative sample #3.

Please replace the paragraph (or section) beginning at page 15, line 21, with the following redlined paragraph (or section):

Figure ~~2122~~ is a graph showing measurement results of clock jitter of a signal obtained by reproducing data recorded in each of an optical recording medium sample #3-1, an optical recording medium comparative sample #1, an optical recording medium comparative sample #2 and an optical recording medium comparative sample #3.

Please replace the paragraph (or section) beginning at page 52, line 6, with the following redlined paragraph (or section):

~~As shown in Figure 19, it~~ It was found that the refractive index  $n$  of the sample #2-1 including the dielectric layer containing  $\text{TiO}_2$  as a primary component but no nitrogen as an additive did not greatly change even if the wavelength of the laser beam became shorter, while the refractive index  $n$  of the sample #2-3 including the dielectric layer containing  $\text{TiO}_2$  as a primary component and 2.9 atomic % of nitrogen as an additive increased as the wavelength of